



# OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM McDONNELL, SHERIFF



July 27, 2015

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

Dear Supervisors:

## **ADVANCED NOTIFICATION OF THE CALIFORNIA DEPARTMENT OF STATE HOSPITALS JAIL-BASED COMPETENCY TREATMENT PROGRAM**

This Board letter serves as an advance notification and explanation of the planned expansion of an existing treatment location for the California Department of State Hospitals Jail-Based Competency Treatment Program located at the San Bernardino County Sheriff's Department's (SBSD), West Valley Detention Center (WVDC). This joint collaboration between the Department of State Hospitals (DSH) and county partners will allow defendants from Los Angeles County (County) who have been found incompetent to stand trial, to obtain competency restoration much more expeditiously with no cost to the County.

When the County's Superior Court (Court) finds a person charged with a felony is incompetent to stand trial, the Court orders that person to be transferred to the State Hospital for competency restoration. Unfortunately, this process has been delayed due to a lack of bed capacity in the DSH system. Statewide, there are currently between 300 to 2,400 individuals awaiting restorative treatment placement. Additionally, with the existing backlog of inmates awaiting transfer, many of the County's inmates wait within the County jail far longer than what the Courts have found to be a reasonable amount of time. As of June 23, 2015, there were 78 men and 17 women awaiting transfer to DSH for competency restoration in the County's jail system. Other counties throughout the State are experiencing a similar backlog and delay.

In order to provide treatment to this inmate population, DSH has established relationships with counties to provide restorative services for the less acute population within county jails throughout the State. Those services are facilitated through DSH

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contract providers, which is currently Liberty Health Care of California (Liberty). The County of San Bernardino has entered into an agreement with Liberty, expanding their existing contract for restoration to competency by adding 76 treatment beds within SBSD's, WVDC. These treatment beds at WVDC will be for the specific purpose of housing and treating State hospital patients from the County for competency restoration. The population selected will be inmates that although not presently competent, have been identified by the Court as being the most amenable to treatment in the jail-based treatment program. The more acute population will continue to be transferred directly to DSH facilities. These jail-based treatment beds will supplement existing DSH beds occupied by defendants from the County without reducing the number of beds the County currently occupies within the DSH system.

Members of the Court, Department of Mental Health, Public Defenders Office, and the Los Angeles County Sheriff's Department's (Department) Custody Operations have toured this treatment site and participated in working groups, while reviewing this alternative treatment approach. Persons charged with a felony who are found incompetent to stand trial will be evaluated by the Court pursuant to Penal Code Section 1370 for treatment in SBSD's, WVDC. A judicial determination that the defendant is amenable to treatment at the WVDC is a necessary prerequisite to transfer there for restoration of competency. The Department supports expansion of treatment options that will allow qualified County inmates, who have been deemed incompetent to stand trial, to receive treatment more expeditiously. This will improve the inmate's access to the Court, reducing the DSH waiting list, while also reducing the strain on limited County jail mental health beds.

The County will not incur costs associated with this program. Inmates will be processed and transferred to DSH's care and custody pursuant to departmental protocols, and will remain under the jurisdiction of the DSH system, while at SBSD's, WVDC. No contract is required with the County of San Bernardino because these inmates will remain under the legal jurisdiction and control of the DSH system.

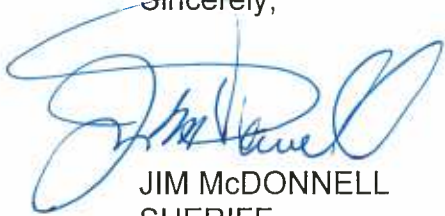
The Court and the Department of Mental Health are co-signatories of this notification letter and collectively share a goal of reducing the longstanding backlog for treatment beds at no cost to the County.

Additional information concerning this program can be found through the State's Legislative Analyst's Office at [www.lao.ca.gov/](http://www.lao.ca.gov/).


July 27, 2015

Should you have any questions, please contact Commander Jody Sharp, Custody Services Division, General Population, at (213) 893-5008.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim McDonnell".

JIM McDONNELL  
SHERIFF

A handwritten signature in blue ink, appearing to read "Carolyn B. Kuhl".

CAROLYN B. KUHL  
PRESIDING JUDGE

A handwritten signature in blue ink, appearing to read "Marvin J. Southard".

MARVIN J. SOUTHARD, D.S.W.  
DIRECTOR OF MENTAL HEALTH